

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JILL BABCOCK, *et al.*,

Plaintiffs,

v

STATE OF MICHIGAN, *et al.*,

Defendants.

No. 2:22-cv-12951

HON. JONATHAN J.C. GREY

MAG. JUDGE ANTHONY P.
PATTI

**DEFENDANT STATE OF MICHIGAN’S EX PARTE MOTION TO
EXCEED PAGE LIMIT FOR BRIEF IN SUPPORT OF MOTION TO
DISMISS, OR ALTERNATIVELY FOR SUMMARY JUDGMENT, AS TO
ITS NON-LIABILITY FOR LOCAL COURT FACILITIES**

Defendant State of Michigan (State Defendant) requests this Court allow State Defendant to file its Motion to Dismiss, or Alternatively for Summary Judgment, as to its Non-Liability for Local Court Facilities that exceeds the 25-page limit established by L.R. 7.1(d)(3), by an additional 11 pages for the reasons stated herein:

1. On March 20, 2024, this Court entered an Order granting in part State Defendant’s Motion to Dismiss Plaintiffs’ Second Amended Complaint. (ECF No. 103.)

2. The March 30, 2024, Order dismissed all of Plaintiffs' claims except for the Americans with Disabilities Act and the Michigan Persons With Disabilities Civil Rights Act claims, and dismissed allegations as to all state-owned buildings. (*Id.*) As a result, the remaining issue for the State is its liability for five local courthouse facilities located in four counties. (*Id.*)

3. Each claim has distinct legal elements and defenses that need to be addressed when analyzing whether Plaintiffs meet the elements of standing or has sufficiently alleged federal and state violations against State Defendant.

4. The arguments in State Defendant's motion include the Plaintiff's lack of standing where they cannot demonstrate causation or redressability, the State Defendant's entitlement to immunity for the state PWCRA claim, and joinder—each of which require sufficient briefing so that this Court may make an informed determination.

Accordingly, due to the complexity of the state and federal claims, the State respectfully requests that this Honorable Court extend the brief page limit to 36 total pages so that State Defendant may adequately address all the various bases for the dismissal of Plaintiffs' Second Amended Complaint.

Respectfully submitted,

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Dated: October 2, 2024

LOCAL RULE CERTIFICATION

I, Cassandra Drysdale-Crown, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts). I also certify that it is the appropriate length in accord with Local Rule 7.1(d)(3).

/s/Cassandra Drysdale-Crown
Cassandra Drysdale-Crown (P64108)

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2024, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

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